

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

HEIDI GUPTILL,)
Plaintiff,) No. CV-10-5108-JPH
v.) ORDER GRANTING STIPULATED
MICHAEL J. ASTRUE,) MOTION TO REMAND
Commissioner of Social)
Security,) (Ct. Rec. 19)
Defendant.)

The parties have filed a stipulated motion for remand of this case to the Commissioner for further administrative proceedings (Ct. Rec. 19). They have consented to proceed before a magistrate judge (Ct. Rec. 3).

After considering the stipulation, **IT IS ORDERED** that the above-captioned case is reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the Appeals Council shall issue a fully favorable decision, finding the claimant disabled since her alleged onset date of May 28, 2006.

Because this remand is pursuant to sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings (See, *Melkonyan v. Sullivan*, 501 U.S. 89 ORDER GRANTING STIPULATED MOTION FOR ORDER TO REMAND - 1

1 (1991)), plaintiff is entitled to reasonable attorney's fees and
2 costs pursuant to 28 U.S.C § 2412(a),(d), upon proper request to
3 this Court.

4 Accordingly, this court **reverses** the Commissioner's decision.

5 **IT IS FURTHER ORDERED:**

6 1. The parties' stipulated motion for an order of remand
7 (**Ct. Rec. 19**) is **GRANTED**.

8 2. Judgment shall be entered for the **PLAINTIFF**.

9 3. An application for attorney fees and costs may be
10 filed by separate motion.

11 4. The District Court Executive is directed to enter
12 this Order, forward copies to counsel, and **close** this file.

13 **IT IS SO ORDERED.**

14 **DATED** this 9th day of May, 2011.

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16 *s/James P. Hutton*
17 JAMES P. HUTTON
18 UNITED STATES MAGISTRATE JUDGE
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